

# BORRELLI & ASSOCIATES

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January 3, 2023

Via ECF

The Honorable Paul G. Gardephe  
United States District Judge for the  
Southern District of New York  
40 Foley Square  
New York, New York 10007

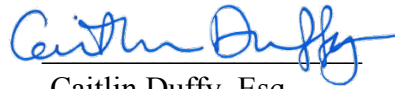
Re: *Nelson Duran et al. v. R&L Interior Renovations and Construction, Corp. et al.*,  
Docket No.: 20-cv-9344 (PGG)

Dear Judge Gardephe:

We represent the named-Plaintiff, Nelson Duran, and the opt-in Plaintiff, Yuri Cabrera, in the above-referenced wage and hour collective action against Defendants R&L Interior Renovations and Construction, Corp., and Luis Fermin, individually. On December 9, 2022, the Court ordered trial to commence on January 30, 2023, scheduled a pre-trial conference for January 27, 2023, at 9:30 a.m., and all pre-trial submissions due on January 6, 2023. ECF 59. We write now, with Defendants' consent, to request that the Court adjourn the trial date and the deadline for pre-trial submissions because my last day at the firm is January 13, 2023, which I did not know at the time of scheduling. As such, the firm is in the process of transferring the case to another attorney who is not only unavailable for trial but completely unfamiliar with the file and will need time to familiarize himself with it so that Plaintiffs' interests are adequately protected. We would further request that the January 27, 2023 conference be converted to a status conference at which the parties can discuss a new trial date and the corresponding pre-trial submissions deadline. In the meantime, the parties will continue to discuss settlement of this matter.

We thank the Court for its time and attention to this matter.

Respectfully submitted,



Caitlin Duffy, Esq.

*For the Firm*

C: Counsel for Defendants (*via* ECF)

**MEMO ENDORSED: The trial currently set for January 30, 2023, is adjourned sine die. The pretrial conference scheduled for January 27, 2023 is adjourned sine die. There will be a status conference on January 26, 2023 at 11:30 a.m. in Courtroom 705 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York.**

SO ORDERED.



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Paul G. Gardephe  
United States District Judge  
Date: January 9, 2023